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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/785,474	02/24/2004	2633	385	108513.00016	10	17	1

CONFIRMATION NO. 8551

Raffi J. Gostanian, Jr.  
Jackson Walker L.L.P.  
Suite 600  
2435 North Central Expressway  
Richardson, TX 75080

## FILING RECEIPT



\*OC000000012680377\*

Date Mailed: 05/17/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

John L. Tomich, Coppell, TX;  
Michael J. Vonahnen, Dallas, TX;  
Michael B. Sheehan, Prosper, TX;

## Assignment For Published Patent Application

Throughput Holdings, Inc.;

## Domestic Priority data as claimed by applicant

This application is a DIV of 09/435,657 11/08/1999

## Foreign Applications

If Required, Foreign Filing License Granted: 05/15/2004

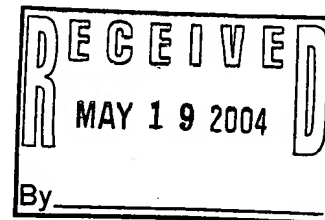
Projected Publication Date: 08/26/2004

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

RECEIVED  
MAY 19 2004  
By *my dep 5/19/04*



**Title**

Wide-signal bandwidth multi-access channel

**Preliminary Class**

398

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

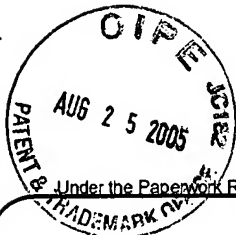
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JPW

PTO/SB/21 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/785,474
	Filing Date	2/24/2004
	First Named Inventor	John L. Tomich
	Art Unit	2633
	Examiner Name	Kim, David S.
Total Number of Pages in This Submission	Attorney Docket Number	

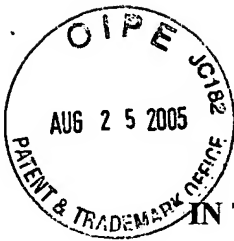
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	copy of front page of 09/435,657 application
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	copy of Declaration of 09/435,657 application
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	copy of Official Filing Receipt of 10/785,474 postcard
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	RG & Associates		
Signature			
Printed name	Raffi Gostanian		
Date	8/22/05	Reg. No.	42,595

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Raffi Gostanian	Date	8/22/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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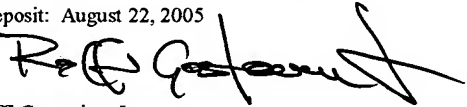


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John L. Tomich, et al.  
Serial No.: 10/785,474  
Filed: 2/24/2004  
Title: **WIDE SIGNAL BANDWIDTH MULTI-ACCESS CHANNEL**

Art Unit: 2633  
Examiner: Kim, David S.

ATTN: Office of Initial Patent  
Examination's Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<p align="center"><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the US Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA on the date shown below.</p> <p>Date of Deposit: August 22, 2005</p> <p>Signature: </p> <p>Name: Raffi Gostanian, Jr.</p>
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**OFFICE OF INITIAL PATENT EXAMINATION – FILING RECEIPT  
CORRECTION**

Dear Sir:

The above referenced patent application (10/785,474) claimed priority to U.S. Application No. 09/435,657, filed on November 8, 1999, entitled "Photonic Home Area Network." However, Applicants believe the 09/435,657 patent application incorrectly received a priority filing date of November 8, 1999. The attached documentation, described in greater detail below, will provide a clear basis for an earlier priority filing date of February 29, 1996. As such, Applicants believe the above referenced patent application (10/785,474) should have a priority date of February 29, 1996.

**A. Front Page of the 09/435,657 Patent Application**

The first paragraph states, "This is a continuation-in-part of U.S. Nonprovisional Application serial no. 08/607,964, entitled Photonic Home Area Network, filed February 29, 1996, to John Tomich, et al., which is incorporated by reference for all purposes."

It is clear that the 09/435,657 patent is a CIP of the parent patent (08/607,964, now 5,983,068) which was filed February 29, 1996. As such, the 09/435,657 patent application should have been accorded the benefit of the earliest filing date which is February 29, 1996. Further, since the above referenced patent application (10/785,474) is a divisional of patent 09/435,657, which is a CIP of 08/607,964 (now 5,983,068), Applicants believe the above referenced patent application (10/785,474) should be accorded the benefit of the February 29, 1996 filing date.

**B. Official Filing Receipt For Above Referenced Patent Application  
(10/785,474)**

As can be seen from the Official Filing Receipt mailed on 05/17/2004, the above referenced patent application (10/785,474) is listed as a DIV of 09/435,657.

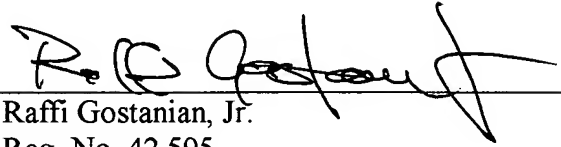
**C. Declaration of the 09/435,657 Patent Application**

On page 2 of the Declaration of the 09/435,657 patent application, the benefit of the parent patent (08/607,964, now 5,983,068) is claimed. As such, the 09/435,657 patent application should have been accorded the benefit of the February 29, 1996 filing date. Further, since the above referenced patent application (10/785,474) is a divisional of patent 09/435,657, which is a CIP of 08/607,964 (now 5,983,068), Applicants believe the above referenced patent application (10/785,474) should be accorded the benefit of the February 29, 1996 filing date.

**Conclusions**

Based on the rationale presented above, Applicants believe the above referenced patent application (10/785,474) should be accorded the benefit of the February 29, 1996 filing date and respectfully request the filing receipt be corrected to reflect this date.

Respectfully Submitted,

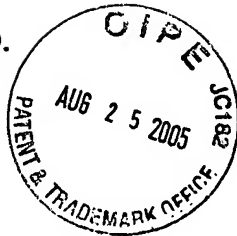
A handwritten signature in black ink, appearing to read "Raffi Gostanian, Jr.", written over a horizontal line.

Raffi Gostanian, Jr.  
Reg. No. 42,595

Date: 8/22/05

RG&Associates  
1103 Twin Creeks  
Allen, TX 75013  
972.849.1310

ATTORNEY DOCKET NO.  
19447-P001CP



PATENT  
APPLICATION NO. 09/435,657

**DECLARATION AND POWER OF ATTORNEY FOR  
PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**PHOTONIC HOME AREA NETWORK**

the specification of which (check one)

- ☐ is attached hereto.
- ☒ was filed on November 8, 1999  
as Application Serial No. 09/435,657  
and was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

ATTORNEY DOCKET NO.  
19447-P001CP

PATENT  
APPLICATION NO. 09/435,657

Prior Foreign Application(s):

Priority Claimed

☐ Yes ☐ No

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

08/607,964  
(Application Serial #)

02/29/96  
(Filing Date)

PENDING  
(Status)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

James J. Murphy, Reg. No. 34,503; Bill R. Naifeh, Reg. No. 44,962; Barry S. Newberger, Reg. No. 41,527; Henry L. Ehrlich, Reg. No. 39,663; Dwayne Mason, Reg. No. 38,959; Charles J. Rogers, Reg. No. 38,286; Robert C. Shaddock; Peter R. Lando, Reg. No. P45,513; Ross S. Garsson, Reg. No. 38,150; and Kelly Kordzik, Reg. No. 38,620.

Send correspondence to: James J. Murphy, 5400 Renaissance Tower, 1201 Elm Street, Dallas, Texas 75270-2199, and direct all telephone calls to at (214) 745-5374.



ATTORNEY DOCKET NO.  
19447-P001CP

PATENT  
APPLICATION NO. 09/435,657

FULL NAME OF SOLE OR FIRST INVENTOR: JOHN L. TOMICH

INVENTOR'S SIGNATURE: John L. Tomich

DATE: 1/20/2000

RESIDENCE: 614 Meadow View Lane  
Coppell, Texas 75019

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF SECOND INVENTOR: MICHAEL J. VONAHNEN

INVENTOR'S SIGNATURE: Michael J. VonAhnen

DATE: 1/22/2000

RESIDENCE: 6724 Golddust Trail  
Dallas, Texas 75252

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF THIRD INVENTOR: MICHAEL B. SCHEEHAN

INVENTOR'S SIGNATURE: M. Scheehan

DATE: 1/22/00

RESIDENCE: 24A Rhea Mills Circle  
Prosper, Texas 75078

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

\\ODMA\PCDOCS\DALLAS\_1\3229801\2  
1122:12179-P064P1



## **PHOTONIC HOME AREA NETWORK**

### **Related Applications**

5 This is a continuation-in-part of U.S. Nonprovisional Application serial no. 08/607,964, entitled Photonic Home Area Network, filed February 29, 1996, to John L. Tomich, et al., which is incorporated herein by reference for all purposes.

### **Technical Field**

10 The present invention relates to a device for bi-directional routing of data for a plurality of dissimilar electronic devices, and in particular, to data routing for a plurality of dissimilar electronic devices from a common data path.